

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CIVIL ACTION
	:	
v.	:	NO. 06-00495-JF
	:	
RANDOLPH JONES	:	(Criminal No. 95-506-02)

MEMORANDUM AND ORDER

Fullam, Sr. J.

March 7, 2006

The defendant, Randolph Jones, is in federal custody, pursuant to a sentence imposed by this court. He has now filed a document entitled "Defendant's Writ of Habeas Corpus," the principal thrust of which seems to be that he is now serving his federal sentence at the Lackawanna County Prison; that he has been informed that he will soon be transferred to a federal institution in Philadelphia, but the transfer has been inexplicably delayed; and that he would like to be serving his sentence in New Jersey, so that his family can visit him.

The government has filed a motion to dismiss, pointing out that an application for a writ of habeas corpus should be filed in the district in which the applicant is confined (here, the Middle District of Pennsylvania). This is undoubtedly correct, but it is not clear that Mr. Jones is actually seeking release from custody. Rather, he appears to be seeking relief which neither this court nor the Middle District of Pennsylvania is authorized to grant - a transfer of the location of his confinement. By statute, all such decisions are committed to the

discretion of the United States Bureau of Prisons. 18 U.S.C.A.
§ 3621(b). Petitioner should direct his concerns to the prison
authorities.

An Order follows.

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ORDER

AND NOW, this 7th day of March 2006, upon consideration of "Defendant's Writ of Habeas Corpus" filed by Randolph Jones, and the government's response, IT IS ORDERED:

That this action is DISMISSED, without prejudice to defendant's right to seek relief from the appropriate authorities. The Clerk is directed to close the file.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.